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Memorandum

TO: BATA Oversight Committee

DATE: May 5, 2010

FR: Deputy Executive Director

RE: Cooperative Agreement – BATA and Caltrans Agreement for the Design and Construction of the San Francisco-Oakland Bay Bridge Toll Operations Building

Staff is requesting that the Committee authorize the Executive Director to enter into a Cooperative Agreement (attached) with Caltrans that designates BATA representatives to construct the new Toll Operations Building for the San Francisco-Oakland Bay Bridge. The agreement is required by Caltrans for any local agency constructing projects in their right-of way. Key provisions of the agreement include:

- BATA will perform all preliminary engineering and design services, and perform all necessary construction engineering and construction services.
- BATA will pay for all of the costs of the work, including Caltrans expenses for project review, permit oversight, and ongoing maintenance services.
- Caltrans will provide staffing to review all preliminary engineering and designs and oversee permit compliance. Based on the reviews, Caltrans will issue an Encroachment Permit to BATA for BATA and its contractors to work in the Caltrans right-of-way.
- At the completion of the project, based on its review, Caltrans will accept and own the Toll Operations Building. Once accepted by Caltrans, BATA will provide funds for its maintenance and repair.

BATA and Caltrans legal staffs are reviewing provisions in the draft agreement, included as Attachment A.

In April 2010, based on a competitive bid, the Committee authorized the Executive Director to enter into a contract with Swinerton Builders, pending review of bid documents.

Recommendation

Staff recommends that the Committee authorize the Executive Director, or his designee, to enter into a Cooperative Agreement with Caltrans substantially in the form as set forth in Attachment A to construct the new Toll Operations Building for the San Francisco-Oakland Bay Bridge. More substantive changes will be awarded as to form by BATA Office of General Counsel.

Andrew B. Fremier

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REQUEST FOR COMMITTEE APPROVAL

Summary of Cooperative Agreement

Work Item No.:	1251
Partner Agency:	Department of Transportation
Work Project Title:	Cooperative Agreement between BATA and Caltrans for Construction of the SFOBB Toll Operations Building
Purpose of Agreement:	To allow BATA, acting as Caltrans' agent, to construct the new SFOBB Toll Operations Building on the State Highway System.
Brief Scope of Agreement:	BATA will advertise, award, and administer the construction contract for the new SFOBB toll operations building. BATA will pay all reasonable costs of the project. Caltrans will review and accept the design, issue an encroachment permit, and accept and own the completed project.
Fiscal Impact:	None
Motion by Committee:	That the Executive Director, or his designee, be authorized to negotiate and enter into a Cooperative Agreement with Caltrans to construct the new Toll Operations Building for the San Francisco-Oakland Bay Bridge.
BATA Oversight Committee:	<hr/> Bill Dodd, Chair
Approved:	Date: May 12, 2010

ATTACHMENT A

